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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,626	12/14/2001	Garry Chinn	M-11346 US	1213
535	7590	10/13/2006	EXAMINER	
THE FIRM OF KARL F ROSS			OPSASNICK, MICHAEL N	
5676 RIVERDALE AVENUE			ART UNIT	PAPER NUMBER
PO BOX 900			2626	
RIVERDALE (BRONX), NY 10471-0900			DATE MAILED: 10/13/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/022,626	CHINN ET AL.
	Examiner	Art Unit
	Michael N. Opsasnick	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 December 2001.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 and 43-53 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 11,12,18-22,31,32,37,40,54-57 is/are rejected.
- 7) Claim(s) 13-17,23-30,33-36,38,39,41 and 42 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 December 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The disclosure is objected to because of the following informalities: Please update related application information on the first page of the specification.

Appropriate correction is required.

***Allowable Subject Matter***

3. Claims 13-17,23-30,33-36,38,39,41,42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. The following is a statement of reasons for the indication of allowable subject matter:

As per the objected to claims as noted above, the claim limitations pertaining to the relationship between ancestral nodes, content nodes, and search keywords, is not explicitly taught by the prior art of record.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 11,12,18-22,31,32,37,40,54-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Gould et al (6839669).

As per claims 11,12,18-22,31,32,37,40, and 54-57, Gould et al (6839669) teaches a system and method employing nodes representing content in a voice command/voice text processing system (as command/speech parser – fig. 14, subblock 385; col. 7 lines 15-30; col. 8 lines 14-22) using a multiple node structure (col. 39 lines 58-62) wherein the node structure determines if the keyword is not a match (col. 39 lines 62-67 – the ‘no-word-arc’ detects a situation where there is no content), an arc considered as removing or deleting unnecessary words before the correct content word is detected (col. 40 lines 20-30), as well as removing unnecessary word after the correct content word (col. 40 lines 44-45). The nodes themselves are used in a relational structure, wherein the relationship between the content of more than one word is evaluated (the double and triple self loop – col. 40 lines 55-63 → in this example, the relationship between the day of the week and the actual date is evaluated; Gould et al (6839669) also teaches other content evaluated

relationships – col. 41 lines 25-67). Gould et al (6839669) also teaches scoring to evaluate the relative content of the speech command, as well (col. 42 lines 3-55). In cols.43-50 of Gould et al (6839669), examples are shown of different detectable contents based on a particular situation (e.g. – setting of appointments, task, notes, emails, etc.). Cols. 51- 57 detail and example of how an utterance/command is processed, with the detailed scoring of the node relationships as mentioned above.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see related art listed on the PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno  
10/12/06

  
\_\_\_\_\_  
Michael N. Opsasnick  
Examiner  
Art Unit 2626